

specification have been obviated, Applicant respectfully requests withdrawal of these objections.

All of pending claims 21-45 stand rejected by the Examiner. Specifically, claims 21-37 stand rejected under 35 U.S.C. § 102(g) as being anticipated by U.S. Patent No. 6,364,206 to Keohane. Claims 38, 39, 42 and 43 stand rejected under 35 U.S.C. § 102(e) as being anticipated by the Keohane patent. Finally, claims 40, 41, 44 and 45 stand rejected under 35 U.S.C. § 103(a) as being obvious over the Keohane patent in view of U.S. Patent No. 6,119,932 to Maloney et al. (hereinafter "the Maloney patent"). In view of the following remarks, Applicant respectfully submits that the subject matter of claims 38-45 is patentably distinct and distinguishable from the subject matter of the Keohane patent and the Maloney patent.

An important aspect of a combined fuel dispensing and lottery ticket purchase system is the ability to efficiently engage in both transactions without undue delay. For example, in the Keohane patent, a customer or consumer can initiate a lottery ticket purchase transaction without first initiating the fuel dispensing transaction. This means that a customer could simply walk up to a fuel pump and engage in a lottery ticket transaction, while preventing a car from driving up and refueling. Similarly, if a customer is allowed to engage in a lottery ticket purchase transaction after fuel dispensing is complete, the same problem will occur. In effect, a customer could remain at the fuel pump after fueling and purchase lottery tickets, again preventing the flow of business and traffic through the pump area of the gas station.

The Examiner maintains that the Keohane patent discloses that the lottery ticket purchase transaction is engaged in after or simultaneous with a fuel transaction initiation. Applicant submits that the Examiner fails to appreciate what is being claimed in claims 38 and 42, namely that the lottery ticket purchase transaction can only be engaged in

after a fuel dispensing transaction has been initiated. Further, in claims 39 and 43, the lottery ticket purchase can only be engaged in while fuel is being dispensed. This is not the same as the Keohane system, where the purchase transaction may be engaged in after or simultaneous with a fuel transaction initiation, since the possibility still exists of a consumer walking up to a pump and purchasing lottery tickets, without purchasing or dispensing fuel. Accordingly, the present invention, as claimed, overcomes the drawbacks discussed above that arise in connection with a system such as disclosed in the Keohane patent.

Therefore, the Keohane patent neither hints nor suggests a fuel dispensing system or method, where the lottery ticket purchase transaction can only be engaged in after a fuel dispensing transaction has been initiated, as claimed in dependent claims 38 and 42 of the present application. Further, the Keohane patent neither hints nor suggests a fuel dispensing system or method, where the lottery ticket purchase transaction can only be engaged in while fuel is being dispensed from the fuel dispenser, as claimed in dependent claims 39 and 43 of the present application. For the foregoing reasons, dependent claims 38, 39, 42 and 43 are neither anticipated by or rendered obvious over the Keohane patent.

Another important aspect of the present invention is operating control of the control system. Part of this operator control allows the operator to authorize a lottery ticket purchase transaction. Typically, such authorization is based upon the age of a customer engaged in the lottery ticket purchase transaction. Since there are age limitations on the legal ability to purchase a lottery ticket, this would allow the fuel dispensing system or method to operate within the bounds of the law, based upon the operator's authorization.

Claims 40, 41, 44 and 45 stand rejected under U.S.C. § 103(a) as being obvious over the Keohane patent in view of the Maloney patent. Applicant respectfully disagrees with the Examiner's rejection in this regard. The Maloney patent is directed to identification verification apparatus and methods. It is noted that the Examiner has used the

Maloney patent to cure the deficiencies of the Keohane patent by attempting to demonstrate their combination. As set forth in MPEP § 2143.03, to establish *prima facie* obviousness of a claimed invention all of the claim limitations must be taught or suggested by the prior art. Further, Applicant continues to maintain that the Examiner is using the claims as a blueprint for locating separate claim elements in separate prior art references without considering the teachings of the prior art as a whole and without considering the complete teachings of the separate references. There is nothing in the Keohane patent and the Maloney patent which suggest the desirability of their combined teachings. There is no incentive to combine these two references together in order to arrive at the subject matter of the present application. The Examiner has provided no motivation to combine these references, and, in the absence of some “clear and particular” motivation to combine the teachings of the cited prior art, the objection is improper. Winner Int’l Royalty Corp. v Wang, 202 F.3d, 1340, 1348-49 (Fed. Cir. 2000).

As to the invocation of the interference, the Examiner asserts that Applicant has failed to specifically apply each limitation or each element of each of the copied claims to the disclosure of the application. Accordingly, following is a specific application of each paragraph of the presently published specification (US 2001/0045456 A1) to each of claims 21-37, as copied from the Keohane patent. For the Examiner’s convenience, these paragraphs have been reproduced in italics, and the claims are in bold to more clearly identify the claim components.

21. A fuel dispensing system comprising:

a fuel dispenser including a customer interface for conducting a transaction including a lottery ticket purchase, a payment acceptor for receiving a payment for the transaction, and a lottery ticket dispenser for dispensing lottery tickets; and

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

a control system operatively associated with said fuel dispenser and adapted to cause said lottery ticket dispenser in said fuel dispenser to dispense a lottery ticket to a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser.

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

[0016] Fig. 2 shows a block diagram illustrating the key features of the present invention, as integrated with the fuel dispensing machine 56 at a service station/convenience store. Each fuel dispensing machine 56 has a stand-alone internal computer controller 18, which may control both a fuel dispensing operation, as well as a lottery ticket selection and dispensing operation. The display 16, the input device 12 and the dispensing device 24 communicate via the computer controller 18. In addition, a lottery controller interface 20 and a fuel controller interface 22 may be provided to facilitate

operation of the combination fuel dispensing and lottery ticket dispensing system 10 and/or communication with the computer controller 18.

22. The fuel dispensing system of claim 21 wherein said payment acceptor comprises a card reader for reading payment information from a customer payment card.

[0018] The display monitor 16 is the visual control mechanism, allowing the consumer, through menu-driven software, to interact with the combination fuel dispensing and lottery ticket dispensing system 10. Further, the payment input device 14 accepts credit card information and communicates, via the computer controller 18, with other components in the combination fuel dispensing and lottery ticket dispensing system 10. Finally, once all operations are complete, the dispensing device 24 outputs, if necessary, both lottery tickets and fuel receipts.

[0019] It is envisioned that the payment input device 14 is adapted to accept credit cards, cash or other forms of payment. Further, the alphanumeric keypad input 12 can be a keyboard, touch screen or any other device allowing information to be transferred to the computer controller 18. The combination fuel dispensing and lottery ticket dispensing system 10 can also include a printing device 25, which is in communication with the computer controller 18. This printing device 25 prints information on an acceptable substrate, e.g., paper or ticket, prior to dispensation through the dispensing device 24. The printing device 25 will print the appropriate customer-selected lottery ticket information on the lottery ticket and/or fuel consumption and payment information in the form of a paper receipt.

23. The fuel dispensing system of claim 22 wherein the customer payment card is a credit card and said control system is further adapted to

communicate with an outside credit authorization network to receive credit authorization for the transaction.

[0018] The display monitor 16 is the visual control mechanism, allowing the consumer, through menu-driven software, to interact with the combination fuel dispensing and lottery ticket dispensing system 10. Further, the payment input device 14 accepts credit card information and communicates, via the computer controller 18, with other components in the combination fuel dispensing and lottery ticket dispensing system 10. Finally, once all operations are complete, the dispensing device 24 outputs, if necessary, both lottery tickets and fuel receipts.

[0019] It is envisioned that the payment input device 14 is adapted to accept credit cards, cash or other forms of payment. Further, the alphanumeric keypad input 12 can be a keyboard, touch screen or any other device allowing information to be transferred to the computer controller 18. The combination fuel dispensing and lottery ticket dispensing system 10 can also include a printing device 25, which is in communication with the computer controller 18. This printing device 25 prints information on an acceptable substrate, e.g., paper or ticket, prior to dispensation through the dispensing device 24. The printing device 25 will print the appropriate customer-selected lottery ticket information on the lottery ticket and/or fuel consumption and payment information in the form of a paper receipt.

24. The fuel dispensing system of claim 21 wherein said payment acceptor comprises a cash acceptor for receiving a cash payment from the customer.

[0018] The display monitor 16 is the visual control mechanism, allowing the consumer, through menu-driven software, to interact with the combination fuel dispensing and lottery ticket dispensing system 10. Further, the payment input device 14

accepts credit card information and communicates, via the computer controller 18, with other components in the combination fuel dispensing and lottery ticket dispensing system 10. Finally, once all operations are complete, the dispensing device 24 outputs, if necessary, both lottery tickets and fuel receipts.

[0019] It is envisioned that the payment input device 14 is adapted to accept credit cards, cash or other forms of payment. Further, the alphanumeric keypad input 12 can be a keyboard, touch screen or any other device allowing information to be transferred to the computer controller 18. The combination fuel dispensing and lottery ticket dispensing system 10 can also include a printing device 25, which is in communication with the computer controller 18. This printing device 25 prints information on an acceptable substrate, e.g., paper or ticket, prior to dispensation through the dispensing device 24. The printing device 25 will print the appropriate customer-selected lottery ticket information on the lottery ticket and/or fuel consumption and payment information in the form of a paper receipt.

25. The fuel dispensing system of claim 21 wherein said control system is further adapted to communicate the transaction information related to the purchase of the lottery ticket to a lottery controller.

[0020] As seen in Fig. 2, the combination fuel dispensing and lottery ticket dispensing system 10 communicates with a central control computer 26, via the computer controller 18. The central control computer 26 coordinates and controls each individual combination fuel dispensing and lottery ticket dispensing system 10. In addition, the central control computer 26 is controllable by the clerk or attendant at the service station or convenience store. It is envisioned that the central control computer 26 can coordinate and control incoming and outgoing data from any combination fuel dispensing and lottery ticket

dispensing systems 10. The clerk or attendant in the store may monitor the fuel dispensing operation and may observe the customers. Further, the attendant is then able to shut down any combination fuel dispensing and lottery ticket dispensing system 10 that is being used by a customer who appears to be under the age of 18, until they show the appropriate identification.

26. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser in said fuel dispenser is adapted to dispense a plurality of lottery ticket types, such as a multiple-draw ticket type.

[0024] However, if the consumer chooses "yes" to the lottery ticket request query step 38, a list of available lottery games is displayed on the display monitor 16. Concurrently with the display, the customer enters his or her choice at the input game request step 40, using the keypad input 12. Next, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the requires number select query step 42. This step, processed without display on the display monitor 16, returns a "yes" or "no" value according to whether the selected lottery game requires the selection of numbers or not. If no number selection is necessary, a "no" is returned and the another ticket step 44 is reached, displaying on the display monitor 16 such a question. If the consumer desires another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 returns to the input game request step 40, and, if the consumer does not wish another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete lottery operation step 52.

27. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser is adapted to dispense a lottery ticket having customer-selected play numbers

and said customer interface in said fuel dispenser is adapted to allow a customer to input said customer-selected play numbers.

[0027] If the customer wishes to "pick" his or her own numbers, the combination fuel dispensing and lottery ticket dispensing system 10 enters the input number selection step 48, where the consumer can input, using the keypad input 12, selected values for the lottery tickets. Again, the lottery controller interface 20 communicates with the central control computer 26 using the computer controller 18. The central control computer 26 checks for valid inputs, repeated inputs or transaction canceling commands from the lottery controller interface 20. After verifying and tracking the information, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44. As above and as illustrated in Fig. 3, the combination fuel dispensing and lottery ticket dispensing system 10 continues on to the complete lottery operation step 52, to the complete pump operation step 54 and, finally, to the dispensing step 55. The computer control 18 and/or the central control computer 26 may be responsible for controlling the operation and communications of all the components of the combination fuel dispensing and lottery ticket dispensing system 10.

28. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser in said fuel dispenser is adapted to dispense a preprinted lottery ticket.

[0024] However, if the consumer chooses "yes" to the lottery ticket request query step 38, a list of available lottery games is displayed on the display monitor 16. Concurrently with the display, the customer enters his or her choice at the input game request step 40, using the keypad input 12. Next, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the requires number select query step 42. This step, processed without display on the display monitor 16, returns a "yes" or "no" value according

to whether the selected lottery game requires the selection of numbers or not. If no number selection is necessary, a "no" is returned and the another ticket step 44 is reached, displaying on the display monitor 16 such a question. If the consumer desires another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 returns to the input game request step 40, and, if the consumer does not wish another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete lottery operation step 52.

29. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser in said fuel dispenser is adapted to dispense a random-number lottery ticket type.

[0026] Returning to the requires number select query step 42, if the consumer has selected a lottery game that requires the selection of numbers, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the random query step 46. Again displaying a choice to the consumer on the display monitor 16, the consumer may choose to use a random number selector or manually enter specific numbers via the input device 12. If the customer decides to allow the combination fuel dispensing and lottery ticket dispensing system 10 to "pick" numbers, the complete randomizer process step 50 randomly picks and assigns numbers for communication from the lottery controller interface 20, via the computer controller 18, to the central control computer 26. After the complete randomizer process 50 finishes and returns values, combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44, continuing as set forth hereinabove.

30. A fuel dispensing system comprising:

a fuel dispenser including a customer interface for conducting a transaction including a lottery ticket purchase and a payment acceptor for receiving a payment for the transaction;

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

a lottery ticket dispenser associated with said fuel dispenser for dispensing lottery tickets;

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

a control system operatively associated with said fuel dispenser and said lottery ticket dispenser and adapted to cause said lottery ticket dispenser to dispense a lottery ticket to a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser.

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

[0016] Fig. 2 shows a block diagram illustrating the key features of the present invention, as integrated with the fuel dispensing machine 56 at a service station/convenience store. Each fuel dispensing machine 56 has a stand-alone internal computer controller 18, which may control both a fuel dispensing operation, as well as a lottery ticket selection and dispensing operation. The display 16, the input device 12 and the dispensing device 24 communicate via the computer controller 18. In addition, a lottery controller interface 20 and a fuel controller interface 22 may be provided to facilitate operation of the combination fuel dispensing and lottery ticket dispensing system 10 and/or communication with the computer controller 18.

31. A method of selling lottery tickets at a fuel dispenser in conjunction with a fueling transaction comprising:

prompting a customer to conduct a lottery ticket purchase in conjunction with the fueling transactions;

[0023] As the consumer is dispensing fuel, the display monitor 16 displays the lottery ticket request query step 38, with a "no" answer proceeding to the complete pump operation and process payment step 54. Step 54 finishes the transaction, and processes the payment information. Finally, in step 55, the receipt is printed and dispensed, and,

generally, all necessary requirements to terminate a typical fuel dispensing operation are performed.

[0029] This invention has been described with reference to the preferred embodiment, obvious modifications and alterations will occur to others upon reading and understanding the proceeding detailed description. It is intended that the invention be construed as including all such modifications and alterations.

receiving input from the customer regarding the lottery ticket purchase;

[0024] However, if the consumer chooses "yes" to the lottery ticket request query step 38, a list of available lottery games is displayed on the display monitor 16. Concurrently with the display, the customer enters his or her choice at the input game request step 40, using the keypad input 12. Next, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the requires number select query step 42. This step, processed without display on the display monitor 16, returns a "yes" or "no" value according to whether the selected lottery game requires the selection of numbers or not. If no number selection is necessary, a "no" is returned and the another ticket step 44 is reached, displaying on the display monitor 16 such a question. If the consumer desires another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 returns to the input game request step 40, and, if the consumer does not wish another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete lottery operation step 52.

conducting the fueling transaction;

[0022] After the process credit card information step 32, or if the consumer answered "no" to the credit card query step 30, the consumer enters the input fuel selection step 34. This step allows the consumer to choose the specific grade of fuel desired, e.g., 89 octane, 93 octane, etc. After the fuel grade is selected, the fuel dispensing machine

56 is activated in the activate fuel dispensing operation step 36. Step 36 controls the start, stoppage and tracking of fuel flow at the fuel pump 56, feeding information to and from the central control computer 26 via the computer controller 18. Typical fuel control operations are envisioned.

effecting payment at said fuel dispenser for a cost associated with the lottery ticket purchase and a cost associated with the fueling transaction; and

[0023] As the consumer is dispensing fuel, the display monitor 16 displays the lottery ticket request query step 38, with a "no" answer proceeding to the complete pump operation and process payment step 54. Step 54 finishes the transaction, and processes the payment information. Finally, in step 55, the receipt is printed and dispensed, and, generally, all necessary requirements to terminate a typical fuel dispensing operation are preformed.

[0024] However, if the consumer chooses "yes" to the lottery ticket request query step 38, a list of available lottery games is displayed on the display monitor 16. Concurrently with the display, the customer enters his or her choice at the input game request step 40, using the keypad input 12. Next, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the requires number select query step 42. This step, processed without display on the display monitor 16, returns a "yes" or "no" value according to whether the selected lottery game requires the selection of numbers or not. If no number selection is necessary, a "no" is returned and the another ticket step 44 is reached, displaying on the display monitor 16 such a question. If the consumer desires another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 returns to the input game request step 40, and, if the consumer does not wish another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete lottery operation step 52.

[0025] In the complete lottery operation step 52, the combination fuel dispensing and lottery ticket dispensing system 10 utilizes the lottery controller interface 20 to communicate, via the computer controller 18, with the central control computer 26. The central control computer 26 tracks the lottery game selection and communicates with the lottery ticket/receipt printer 25, which prints the lottery tickets appropriately. After pumping is completed, and assuming the customer has selected to purchase lottery tickets, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete pump operation step 54. At this point, in step 55, both the lottery ticket(s), as well as a combined fuel and lottery ticket receipt, is dispensed through the dispensing device 24.

[0027] If the customer wishes to "pick" his or her own numbers, the combination fuel dispensing and lottery ticket dispensing system 10 enters the input number selection step 48, where the consumer can input, using the keypad input 12, selected values for the lottery tickets. Again, the lottery controller interface 20 communicates with the central control computer 26 using the computer controller 18. The central control computer 26 checks for valid inputs, repeated inputs or transaction canceling commands from the lottery controller interface 20. After verifying and tracking the information, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44. As above and as illustrated in Fig. 3, the combination fuel dispensing and lottery ticket dispensing system 10 continues on to the complete lottery operation step 52, to the complete pump operation step 54 and, finally, to the dispensing step 55. The computer control 18 and/or the central control computer 26 may be responsible for controlling the operation and communications of all the components of the combination fuel dispensing and lottery ticket dispensing system 10.

dispensing a lottery ticket to the customer corresponding to the lottery ticket purchase.

[0023] As the consumer is dispensing fuel, the display monitor 16 displays the lottery ticket request query step 38, with a "no" answer proceeding to the complete pump operation and process payment step 54. Step 54 finishes the transaction, and processes the payment information. Finally, in step 55, the receipt is printed and dispensed, and, generally, all necessary requirements to terminate a typical fuel dispensing operation are preformed.

[0025] In the complete lottery operation step 52, the combination fuel dispensing and lottery ticket dispensing system 10 utilizes the lottery controller interface 20 to communicate, via the computer controller 18, with the central control computer 26. The central control computer 26 tracks the lottery game selection and communicates with the lottery ticket/receipt printer 25, which prints the lottery tickets appropriately. After pumping is completed, and assuming the customer has selected to purchase lottery tickets, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete pump operation step 54. At this point, in step 55, both the lottery ticket(s), as well as a combined fuel and lottery ticket receipt, is dispensed through the dispensing device 24.

[0027] If the customer wishes to "pick" his or her own numbers, the combination fuel dispensing and lottery ticket dispensing system 10 enters the input number selection step 48, where the consumer can input, using the keypad input 12, selected values for the lottery tickets. Again, the lottery controller interface 20 communicates with the central control computer 26 using the computer controller 18. The central control computer 26 checks for valid inputs, repeated inputs or transaction canceling commands from the lottery controller interface 20. After verifying and tracking the information, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44. As above and as illustrated in Fig. 3, the combination fuel dispensing and lottery ticket dispensing system 10 continues on to the complete lottery operation step 52, to the complete

pump operation step 54 and, finally, to the dispensing step 55. The computer control 18 and/or the central control computer 26 may be responsible for controlling the operation and communications of all the components of the combination fuel dispensing and lottery ticket dispensing system 10.

32. The method of claim 31 wherein said fuel dispenser is adapted to perform said dispensing step.

[0023] As the consumer is dispensing fuel, the display monitor 16 displays the lottery ticket request query step 38, with a "no" answer proceeding to the complete pump operation and process payment step 54. Step 54 finishes the transaction, and processes the payment information. Finally, in step 55, the receipt is printed and dispensed, and, generally, all necessary requirements to terminate a typical fuel dispensing operation are preformed.

[0025] In the complete lottery operation step 52, the combination fuel dispensing and lottery ticket dispensing system 10 utilizes the lottery controller interface 20 to communicate, via the computer controller 18, with the central control computer 26. The central control computer 26 tracks the lottery game selection and communicates with the lottery ticket/receipt printer 25, which prints the lottery tickets appropriately. After pumping is completed, and assuming the customer has selected to purchase lottery tickets, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete pump operation step 54. At this point, in step 55, both the lottery ticket(s), as well as a combined fuel and lottery ticket receipt, is dispensed through the dispensing device 24.

[0027] If the customer wishes to "pick" his or her own numbers, the combination fuel dispensing and lottery ticket dispensing system 10 enters the input number selection step 48, where the consumer can input, using the keypad input 12, selected values

for the lottery tickets. Again, the lottery controller interface 20 communicates with the central control computer 26 using the computer controller 18. The central control computer 26 checks for valid inputs, repeated inputs or transaction canceling commands from the lottery controller interface 20. After verifying and tracking the information, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44. As above and as illustrated in Fig. 3, the combination fuel dispensing and lottery ticket dispensing system 10 continues on to the complete lottery operation step 52, to the complete pump operation step 54 and, finally, to the dispensing step 55. The computer control 18 and/or the central control computer 26 may be responsible for controlling the operation and communications of all the components of the combination fuel dispensing and lottery ticket dispensing system 10.

33. The method of claim 32 wherein a separate lottery ticket dispenser is adapted to perform said dispensing step.

[0019] It is envisioned that the payment input device 14 is adapted to accept credit cards, cash or other forms of payment. Further, the alphanumeric keypad input 12 can be a keyboard, touch screen or any other device allowing information to be transferred to the computer controller 18. The combination fuel dispensing and lottery ticket dispensing system 10 can also include a printing device 25, which is in communication with the computer controller 18. This printing device 25 prints information on an acceptable substrate, e.g., paper or ticket, prior to dispensation through the dispensing device 24. The printing device 25 will print the appropriate customer-selected lottery ticket information on the lottery ticket and/or fuel consumption and payment information in the form of a paper receipt.

34. The method of claim 33 wherein said fuel dispenser includes a customer interface supporting the input of information by the customer in said receiving step.

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

35. The method of claim 34 wherein said customer interface supports selection of multiple lottery ticket types, including preprinted number, random number, and customer-selected number lottery ticket types.

[0024] However, if the consumer chooses "yes" to the lottery ticket request query step 38, a list of available lottery games is displayed on the display monitor 16. Concurrently with the display, the customer enters his or her choice at the input game request step 40, using the keypad input 12. Next, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the requires number select query step 42. This step, processed without display on the display monitor 16, returns a "yes" or "no" value according to whether the selected lottery game requires the selection of numbers or not. If no number selection is necessary, a "no" is returned and the another ticket step 44 is reached, displaying on the display monitor 16 such a question. If the consumer desires another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 returns to the input game request step 40, and, if the consumer does not wish another ticket, the combination fuel

dispensing and lottery ticket dispensing system 10 proceeds to the complete lottery operation step 52.

[0025] In the complete lottery operation step 52, the combination fuel dispensing and lottery ticket dispensing system 10 utilizes the lottery controller interface 20 to communicate, via the computer controller 18, with the central control computer 26. The central control computer 26 tracks the lottery game selection and communicates with the lottery ticket/receipt printer 25, which prints the lottery tickets appropriately. After pumping is completed, and assuming the customer has selected to purchase lottery tickets, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete pump operation step 54. At this point, in step 55, both the lottery ticket(s), as well as a combined fuel and lottery ticket receipt, is dispensed through the dispensing device 24.

[0026] Returning to the requires number select query step 42, if the consumer has selected a lottery game that requires the selection of numbers, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the random query step 46. Again displaying a choice to the consumer on the display monitor 16, the consumer may choose to use a random number selector or manually enter specific numbers via the input device 12. If the customer decides to allow the combination fuel dispensing and lottery ticket dispensing system 10 to "pick" numbers, the complete randomizer process step 50 randomly picks and assigns numbers for communication from the lottery controller interface 20, via the computer controller 18, to the central control computer 26. After the complete randomizer process 50 finishes and returns values, combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44, continuing as set forth hereinabove.

[0027] If the customer wishes to "pick" his or her own numbers, the combination fuel dispensing and lottery ticket dispensing system 10 enters the input number

selection step 48, where the consumer can input, using the keypad input 12, selected values for the lottery tickets. Again, the lottery controller interface 20 communicates with the central control computer 26 using the computer controller 18. The central control computer 26 checks for valid inputs, repeated inputs or transaction canceling commands from the lottery controller interface 20. After verifying and tracking the information, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44. As above and as illustrated in Fig. 3, the combination fuel dispensing and lottery ticket dispensing system 10 continues on to the complete lottery operation step 52, to the complete pump operation step 54 and, finally, to the dispensing step 55. The computer control 18 and/or the central control computer 26 may be responsible for controlling the operation and communications of all the components of the combination fuel dispensing and lottery ticket dispensing system 10.

36. The method of claim 35 wherein said customer interface of said fuel dispenser is adapted to permit the customer to enter a desired set of play numbers in association with the purchase of a customer-selected number lottery ticket.

[0027] If the customer wishes to "pick" his or her own numbers, the combination fuel dispensing and lottery ticket dispensing system 10 enters the input number selection step 48, where the consumer can input, using the keypad input 12, selected values for the lottery tickets. Again, the lottery controller interface 20 communicates with the central control computer 26 using the computer controller 18. The central control computer 26 checks for valid inputs, repeated inputs or transaction canceling commands from the lottery controller interface 20. After verifying and tracking the information, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44. As above and as illustrated in Fig. 3, the combination fuel dispensing and lottery ticket

dispensing system 10 continues on to the complete lottery operation step 52, to the complete pump operation step 54 and, finally, to the dispensing step 55. The computer control 18 and/or the central control computer 26 may be responsible for controlling the operation and communications of all the components of the combination fuel dispensing and lottery ticket dispensing system 10.

37. A fuel dispensing system comprising:

A fuel dispenser including,

- a) a customer interface for conducting a transaction, the transaction including a lottery ticket purchase;**

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

- b) a payment acceptor for receiving a payment for the transaction;**

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel

dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

c) a lottery ticket dispenser for dispensing lottery tickets; and

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

d) a control system;

said control system adapted to cause said lottery ticket dispenser to dispense a lottery ticket to a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser.

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

[0016] Fig. 2 shows a block diagram illustrating the key features of the present invention, as integrated with the fuel dispensing machine 56 at a service station/convenience store. Each fuel dispensing machine 56 has a stand-alone internal computer controller 18, which may control both a fuel dispensing operation, as well as a


lottery ticket selection and dispensing operation. The display 16, the input device 12 and the dispensing device 24 communicate via the computer controller 18. In addition, a lottery controller interface 20 and a fuel controller interface 22 may be provided to facilitate operation of the combination fuel dispensing and lottery ticket dispensing system 10 and/or communication with the computer controller 18.

Applicant submits that the foregoing application of specification to the copied claims is acceptable in identifying each limitation or element of each copied claim in the present application. Further, and for the foregoing reasons, claims 38-45 are not anticipated by or rendered obvious over the Keohane patent and/or the Maloney patent. There is no hint or suggestion in the references cited by the Examiner to combine these references in a manner, which would render the invention, as claimed, obvious. Reconsideration of the rejection of claims 38-45 is respectfully requested.

An indication of favorable action on claims 38-45 and a declaration of interference for claims 21-37 is respectfully requested.

Respectfully submitted,

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MARKED-UP CLAIM

30 (Twice Amended) A fuel dispensing system comprising:

a fuel dispenser including a customer interface for conducting a transaction including a lottery ticket purchase and a payment acceptor for receiving a payment for the transaction;

a lottery ticket dispenser associated with said fuel dispenser for dispensing lottery tickets; and

a control system operatively associated with said fuel dispenser and said lottery ticket dispenser and adapted to cause said lottery ticket dispenser to dispense a lottery ticket to a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser; ~~and~~

~~transaction indicia related to the purchase of a lottery ticket through said fuel dispenser communicated to the customer and to said lottery ticket dispenser by said fuel dispensing system.~~

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